

Amendments to Senate Bill No. 152  
3rd Reading Copy

For the House Education Committee

EXHIBIT 27  
DATE 3.26.07  
SB 152

Prepared by Susan Byorth Fox  
March 26, 2007 (2:44pm)

1. Title, line 18.

**Strike:** "QUALITY"

2. Title, line 21.

**Following:** "20-9-327,"

**Insert:** "20-9-344,"

3. Page 10, line 3.

**Strike:** "quality"

4. Page 10, line 8.

**Strike:** "quality"

5. Page 11, line 10.

**Strike:** "quality"

6. Page 12, line 16.

**Strike:** "quality"

7. Page 28, line 11.

**Strike:** "Quality educator"

**Insert:** "Educator"

**Strike:** "quality"

8. Page 28, line 18.

**Strike:** "quality"

9. Page 28, line 20.

**Strike:** "quality"

10. Page 28, line 22.

**Strike:** "quality"

11. Page 28, line 24.

**Strike:** "quality"

12. Page 29, line 3.

**Insert:** "Section 20. Section 20-9-344, MCA, is amended to read:

"20-9-344. Duties of board of public education for distribution of BASE aid. (1) The board of public education shall administer and distribute the BASE aid and state advances for county equalization in the manner and with the powers and duties

provided by law. The board of public education:

(a) shall adopt policies for regulating the distribution of BASE aid and state advances for county equalization in accordance with the provisions of law;

(b) may require reports from the county superintendents, county treasurers, and trustees that it considers necessary; and

(c) shall order the superintendent of public instruction to distribute the BASE aid on the basis of each district's annual entitlement to the aid as established by the superintendent of public instruction. In ordering the distribution of BASE aid, the board of public education may not increase or decrease the BASE aid distribution to any district on account of any difference that may occur during the school fiscal year between budgeted and actual receipts from any other source of school revenue.

(2) The board of public education may order the superintendent of public instruction to withhold distribution of BASE aid from a district when the district fails to:

(a) submit reports or budgets as required by law or rules adopted by the board of public education; or

(b) maintain accredited status.

(3) Prior to any proposed order by the board of public education to withhold distribution of BASE aid or county equalization money, the district is entitled to a contested case hearing before the board of public education, as provided under the Montana Administrative Procedure Act.

(4) If a district or county receives more BASE aid than it is entitled to, the county treasurer shall return the overpayment to the state upon the request of the superintendent of public instruction in the manner prescribed by the superintendent of public instruction.

(5) Except as provided in 20-9-347(2), the BASE aid payment must be distributed according to the following schedule:

(a) from August to October of the school fiscal year, to each district 10% of:

(i) direct state aid;

(ii) the total ~~quality~~ educator payment;

(iii) the total at-risk student payment;

(iv) the total Indian education for all payment; and

(v) the total American Indian achievement gap payment;

(b) from December to April of the school fiscal year, to each district 10% of:

(i) direct state aid;

(ii) the total ~~quality~~ educator payment;

(iii) the total at-risk student payment;

(iv) the total Indian education for all payment; and

(v) the total American Indian achievement gap payment;

(c) in November of the school fiscal year, one-half of the guaranteed tax base aid payment to each district or county that has submitted a final budget to the superintendent of public instruction in accordance with the provisions of 20-9-134;

(d) in May of the school fiscal year, the remainder of the guaranteed tax base aid payment to each district or county; and

(e) in June of the school fiscal year, the remaining payment to each district of direct state aid, the total quality educator payment, the total at-risk student payment, the total Indian education for all payment, and the total American Indian achievement gap payment.

(6) The distribution provided for in subsection (5) must occur by the last working day of each month."

{ Internal References to 20-9-344:

20-2-121	20-9-314	20-9-314	20-9-347
20-9-347	20-9-347	20-9-368	}

**Renumber:** subsequent sections

13. Page 32, line 3.

**Strike:** "[section 24(3)]"

**Insert:** "[section 25(3)]"

14. Page 33, line 20.

**Strike:** "22 through 24"

**Insert:** "23 through 25"

15. Page 33, line 21.

**Strike:** "22 through 24"

**Insert:** "23 through 25"

16. Page 33, line 25.

**Strike:** "26, and 28"

**Insert:** "27, and 29"

- END -